



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1850
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/635,747

08/05/2003

Denny Jacger

4310

9652

7590

11/28/2006

Harris Zimmerman
Law Offices of Harris Zimmerman
Suite 710
1330 Broadway
Oakland, CA 94612

EXAMINER

ROSWELL, MICHAEL

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,747

Applicant(s)

JAEGER, DENNY

Examiner

Michael Roswell

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-20 is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: page 4 of the specification fails to disclose the serial numbers and filing dates of the listed applications. Please replace (xx/xxx,xxx) and (xx/xx/xxxx) with the appropriate serial numbers and filing dates.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Crow et al (US Patent 6,538,665), hereinafter Crow.

Regarding claim 1, Crow teaches a method for playing media files, including providing a blackspace timeline (the time/chapter/display control of Fig. 3A), dragging a media object to the timeline, and playing the media (taught as the adding of media to a “drawer window” through drag and drop methods, and the subsequent playing of the media, at col. 9, lines 43-50).

Regarding claim 2, Crow teaches including providing a play cursor on the timeline, and clicking and dragging on the play cursor in a first direction to play the media and set the playback speed, taught as the dragging of a time marker on a time bar that displays a corresponding image frame related to the time "dragged" by the user, at col. 17, lines 52-60 and col. 18, lines 33-38. Crow further teaches the determination of drag speed for enabling different scrolling "velocities" through chapters and times, at col. 25, lines 15-28 and lines 44-50.

Regarding claim 3, Crow teaches clicking and dragging on the play cursor in a second direction opposite the first direction to play the media backwards, taught as the ability to scroll in an up or down direction, at col. 25, lines 42-44.

Regarding claim 4, Crow teaches the step of clicking on the time line to create a play cursor at the click point, taught as the ability to position time markers based on a "click", as seen in Fig. 8C.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crow and Moran et al (US Patent 5,717,869), hereinafter Moran.

Regarding claim 5, Crow has been shown to teach the use of a timeline for the playing and manipulation of media files.

However, Crow fails to explicitly teach the use of gridlines spaced along the timeline to demarcate units of a parameter. Moran teaches the use of a timeline similar to that of Crow, as well as the use of gridlines to demarcate units of a parameter, as can be seen in Figs. 6, 7, and 9-12.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Crow and Moran before him at the time the invention was made to modify the timeline of Crow to include the demarcation lines of Moran. One would have been motivated to make such a combination for the advantage of allowing a user to more easily view a relative parameter value (such as time) on a timeline. The examiner further contends that such lines are extraordinarily well known in the art in programs such as media players and editors.

Regarding claim 6, Moran teaches the parameter units representing time, at Figs. 6, 7, and 9-12.

Regarding claim 7, while Moran fails to explicitly teach the parameter units representing onscreen distance and length, the examiner contends that demarcation lines are extraordinarily well known in the art in programs such as media players and editors, and may be used to represent any parameters of interest, such as applicant's claimed onscreen distance and length.

Regarding claim 8, Moran teaches clicking and dragging on the gridlines to rescale the timeline, at col. 21, lines 31-36.

Regarding claims 9 and 10, while Moran fails to explicitly teach the gridlines including scale lines at regular intervals among the gridlines, such marks are notoriously well known (such as on rulers) and would have been obvious to implement in any timeline utilizing gridlines. Furthermore, Moran teaches the use of alphanumeric labels at Figs. 6, 7, and 9-12, and the examiner contends that applying such labels to regular intervals on a gridline is notoriously well known in the art.

Allowable Subject Matter

Claims 11-20 are allowed. The claims contain the limitation "providing a play rectangle, said play rectangle having a continuous rectangular perimeter formed as a continuous time line, and dragging a media object to the play rectangle, and playing the media". The closest relevant prior art, the Crow and Moran references, fail to teach "a continuous rectangular perimeter formed as a continuous time line" and a subsequent prior art search failed to produce any relevant results.

Conclusion

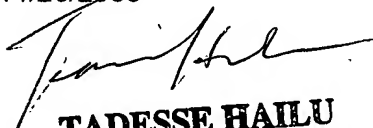
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell
11/20/2006



TADESSE HAILU
Patent Examiner